



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277

Kazuaki TOBARI, et al. : Confirmation Number: 7530

Application No.: 10/809,530 : Group Art Unit: 2837

: Allowed: February 24, 2006 Filed: March 26, 2004 : Examiner: Erick D. Glass

For: APPARATUS FOR CONTROLLING AN A.C. MOTOR

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE UNDER 37 C.F.R. § 104(e)

Mail Stop Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance accompanied the February 24, 2006 Notice of Allowability regarding the above-identified application. Entry of that Statement into the record should not be construed as any agreement with or acquiescence by Applicants in the stated reasoning.

The Statement paraphrased portions of the independent claims and asserted that those paraphrased portions are not taught by prior art. The paraphrasing used in the Statement of reasons for allowance, however, differs substantively from the actual claim language. As just one example of these kinds of errors, with regard to claims 1, 3 and 7, the Statement refers to "a current estimating means are received from detected dc current inputs." Claims 1 and 3 do recite a current estimating means, but neither claim uses the somewhat confusing wording that appears in the Statement. Also, the recitations in claims 1 and 3 regarding the current estimating means,

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are different, a fact completely overlooked in the Statement. Further, method claim 17 recites a

current estimating step, not current estimating means as referenced in the Statement.

As shown above, the paraphrasing used in the Statement may cause confusion,

particularly to the extent that the language used in the Statement differs from the proper

interpretation of the allowed claims, in light of the claim language itself and the detailed

description.

Also, the claims all have been allowed in the first action on the merits, without any

rejection or amendment in this case.

It is respectfully submitted that the allowed claims should be entitled to the broadest

reasonable interpretation and to the broadest range of equivalents that are appropriate in light of

the language of the claims and the supporting disclosure, without reference to the Statement of

Reasons for Allowance.

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. §

1.136 hereby made. Please charge any shortage in fees due in connection with the filing of this

paper, including extension of time fees, to Deposit Account 500417 and please credit any excess

fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Please recognize our Customer No. 20277

as our correspondence address.

/Keith E. George

Registration No. 34,111

600 13th Street, N.W. Washington, DC 20005-3096

Phone: 202.756.8000 KEG:MWE

Facsimile: 202.756.8087 **Date: May 17, 2006**

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